

AO 91 (Rev. 11/11) Criminal Complaint

D. Davis 9/8/14

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

SEP 8 2014

David J. Bradley, Clerk of Court

United States of America)

v.)

Ramiro CUELLAR)

Case No.

H14-854

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 09/06/2014 in the county of Fort Bend in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. Section 1324(a)(1)(A)(ii)

knowingly or in reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transported, or moved or attempted to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Robert Haberkamp III, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/08/2014

Judge's signature

City and state: Houston, Texas

George C. Hanks, Jr., U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Robert Haberkamp III, being first duly sworn, depose and state the following:

1. I am a Special Agent with Homeland Security Investigations. I have been so employed since October 2005. I have training and experience in alien smuggling investigations.
2. The information enumerated in the paragraphs below, furnished in support of this affidavit, is derived from my own observations and the observations of other law enforcement agents.
3. On September 6, 2014, Homeland Security Investigations (HSI), Human Trafficking group in Houston, Texas received information indicating an off duty Sugar Land, Texas Police Department Officer working at 19880 SW Freeway, witnessed two Hispanic males acting suspiciously and attempting to enter a Ford F150 with Texas license plate BV73090. The off duty officer reported the incident to the Sugar Land PD. The vehicle is registered to Veronica and Ernan Trevino of Alice, Texas.
4. Within five minutes, Officer J. Huang arrived at the location and encountered Ramiro CUELLAR standing next to the Ford F150. Officer Huang looked in the vehicle and observed eight individuals in the bed of the vehicle, covered by a blanket. Three more individuals were located in the cab of the truck. The keys to the F150 were found in CUELLAR's possession (his pocket). Sugar Land PD then contacted HSI to inform them of the traffic stop. The second Hispanic male was not present when Officer Huang arrived at the call location. Sugar Land PD Officers then transported everyone to the jail where they were detained until Special Agent (SA) Robert Haberkamp responded to conduct immigration checks on the occupants of the vehicle.
5. The occupants were then transported to the Houston Contract Detention Facility (HCDF) to conduct additional checks. At the HCDF, HSI Special Agents interviewed the passengers and determined that the F150 was transporting 7 citizens of El Salvador, 2 citizens of Honduras and 2 citizen of Mexico (one was an unaccompanied minor). All 11 of the individuals in the vehicle were determined to be illegally present in the United States.
6. While at the Sugar Land Police Department, SA Haberkamp interviewed CUELLAR. SA Haberkamp read CUELLAR his rights from a pre-printed form and he agreed to waive his rights by signing the form as was witnessed by Officer G. Reid. During the interview, CUELLAR made the following statements. CUELLAR was panhandling in Sugar Land when a friend drove up in the F150. CUELLAR got into the passenger side of the vehicle and spoke with his friend who CUELLAR knows to be involved in alien smuggling. His friend informed him he had "mojados" (undocumented illegal aliens (UDAs)) in the vehicle and he would "break him off" (pay him an unknown amount of cash from the proceeds of the smuggling venture) to ride with him to

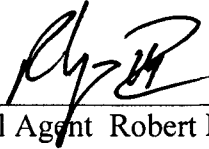
north Houston and drop off the UDAs. They would then travel back to Corpus Christi together.

8. Erlin Ventura-Vazquez illegally entered the United States approximately one week ago. On the morning of September 6, 2014, he was picked up (somewhere north of a Border Patrol checkpoint) and driven to Sugar Land by the same driver who was arrested with them. Ventura described the driver as a bald headed male with a \$ sign tattoo on this left side of the face. The driver picked them up in the same truck they were in when they were detained. When they were being loaded into the vehicle the driver instructed them to get into the bed of the truck and gave them blankets to cover (conceal) them. Ventura stated the driver was waiting for another truck when they were encountered by law enforcement in Sugar Land. The driver instructed them not to say anything to law enforcement if they were apprehended. At the end of the interview, Ventura was shown a photograph of Ramiro CUELLAR and Ventura positively identified CUELLAR as the driver of the F150.

9. Wilber Benitez Aleman illegally entered the United States on approximately August 21, 2014. At around 6 AM on September 6, 2014, they (the UDAs) were picked up by a ford pickup truck. BENITEZ said the driver was the same person who was arrested with them and described him as a bald headed, light skinned male with a dollar sign tattoo on his left side of his face and a tattoo reading "Corpus" on the back of his head. Benitez stated the driver instructed BENITEZ to get into the bed of the truck and provided them with blankets to cover (conceal) themselves. The driver told them the reason the F150 stopped in Sugar Land (where they were detained) was he was waiting for another truck. At the end of the interview, Benitez was shown a photograph of Ramiro CUELLAR and Benitez positively identified CUELLAR as the driver of the F150.

10. During transport from the Sugar Land PD to an HSI facility for fingerprinting and booking, CUELLAR was reminded of his rights. During the transport, CUELLAR stated he was still going to "get paid" when he got out and a possible ten year sentence was nothing. He informed SA Haberkamp to go back and search the F150 as the phone number for another member of the alien smuggling organization was still in the vehicle. CUELLAR was informed some of the UDAs were stating identified him as the individual who drove them from north of the checkpoint to Sugar Land, he stated "Well, I guess you trust them more than me."

Based upon the evidence gathered from the investigation, I believe that there is probable cause to believe that Ramiro CUELLAR violated Title 8, United States Code Section, 1324.



Special Agent Robert Haberkamp III
Homeland Security Investigations
Houston, Texas

Sworn and subscribed before me this September 8, 2014 and I find probable cause.



George C. Hanks, Jr.
U.S. Magistrate Judge